

SPSO decision report

Case: 201102025, East Renfrewshire Council
Sector: local government
Subject: policy/administration
Outcome: not upheld, no recommendations

Summary

Ms C had a number of complaints about the way the council had handled a planning application for a housing development on a site in her village. We did not uphold any of the complaints.

Ms C said that the council had failed to notify the local community council that the developer had objected to the site's green belt status during the consideration of the new local plan. She said it was unreasonable that this was only drawn to the community council's attention when the developer provided them with proposed plans around three years later. However, we found that there was no obligation on the council to provide notification to community councils about every objection made which was contrary to their position, and that in fact it would be disproportionate to expect them to do so.

Ms C also complained that the council had improperly considered roads issues, in particular that junction spacing and visibility at the entrance to the new development were not within safe standards. We found that the guidelines Ms C had referred to did not have to be adhered to rigidly, and that the roads officers who had assessed the site had properly assessed all relevant factors when reaching a decision about junction spacing and visibility.

Ms C was also concerned that the two storey housing proposed was not in keeping with surrounding houses in the area. However, we found no evidence that the proposals were unreasonable. Ms C had also complained about the calculation of housing density, based on the size of the site but again we found this to be reasonable. Finally, Ms C complained that the council had not adequately ensured that the developers adhered to the planning brief prepared by the council. However, we again found that such documents are prepared as guidance only, and do not need to be adhered to rigidly.